

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA
Roanoke Division**

In re:

Carl Erich Ingo

Case No. 24-70662-PMB

Debtor.

Chapter 13

NOTICE OF HEARING ON MOTION FOR RELIEF FROM STAY

TAKE NOTICE, that FreedomRoad Financial, a secured creditor in the above-referenced bankruptcy action, has filed with the United States Bankruptcy Court for the Western District of Virginia, Roanoke Division, a Motion for Relief from Stay, a copy of said Motion is attached hereto.

NOTICE IS HEREBY GIVEN that a hearing on this Motion will be convened on March 19, 2025, at 10:30 AM via Zoom. **PLEASE TAKE NOTICE** that the undersigned will, on the 19th day of March 2025, at 10:30 a.m., move the US Bankruptcy Court for the entry of an Order granting the Motion for Relief from Stay. **This matter will be heard via zoom video. For information on how to participate, a party should contact Catherine James, Courtroom Deputy, at Catherine_James@vawb.uscourts.gov.**

FreedomRoad Financial

/s/ Sara A. John

Sara A. John

M. Richard Epps, P.C.

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sara_john@eppspc.com
Counsel for Movant

Certificate of Service

I hereby certify that on February 27, 2025, I mailed or electronically served a true copy of the foregoing Notice of Hearing to: Carl Erich Ingo, 379 Brower Lane, Max Meadows, VA 24360; Christopher T. Micale, Trustee, PO Box 20608, Roanoke, VA 24018; and Shane W. Hiatt, Counsel for Debtor, PO Box 1315, Wytheville, VA 24382.

/s/ Sara A. John

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**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA
Roanoke Division**

In re:

Carl Erich Ingo

Case No. 24-70662-PMB

Debtor.

Chapter 13

FreedomRoad Financial,

Plaintiff,

v.

Carl Erich Ingo

and

Christopher T. Micale, Trustee,

Defendants.

MOTION FOR RELIEF FROM STAY

NOW COMES FreedomRoad Financial, by counsel, and for its Motion for Relief from Stay against Debtor states as follows:

1. This Court has jurisdiction over the matters herein alleged pursuant to 28 U.S.C. § 1334. This matter constitutes a core proceeding within the meaning of 28 U.S.C. § 157 and is a contested matter under Rules 4001 and 9014 of the Federal Rules of Bankruptcy Procedure.

2. On September 5, 2024, Debtor filed a Chapter 13 bankruptcy. Debtor has filed a Chapter 13 plan.

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3. Plaintiff is a secured creditor of Debtor pursuant to the terms of a promissory note and security agreement dated May 27, 2022 being secured by a lien on a 2022 KTM 450 XC-F Motorcycle, VIN VBKXCR439NM364690 (the “vehicle”).

4. That under the terms of the plan, Debtor proposed to pay all payments directly to Plaintiff, outside of the Chapter 13 plan.

5. Debtor is in default in the making of the payments and is presently due for the September 30, 2024 through January 30, 2025 payments for arrearages totaling \$1,181.35, with a payoff of approximately \$7,926.88 on the account.

6. Plaintiff has incurred attorney’s fees and costs in the filing of this Motion.

7. That Plaintiff lacks adequate protection.

8. For the above and foregoing reasons, Plaintiff asserts that cause exists sufficient to waive the requirement of Bankruptcy Rule 4001 (a)(3), therefore allowing the Order granting the relief sought to be effective upon its entry.

WHEREFORE, Plaintiff moves the Court for relief from the automatic stay pursuant to 11 U.S.C. § 362 so that it may proceed under state law.

FreedomRoad Financial

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M. Richard Epps, P.C.

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